



Docket No.: 242058US2CIP

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/697,035

Applicants: Naoto JIKUTANI, et al.

Filing Date: October 31, 2003

For: SURFACE-EMISSION LASER DIODE OPERABLE
IN THE WAVELENGTH OF 1.1-1.7 MICROMETERS
AND OPTICAL TELECOMMUNICATION SYSTEM
USING SUCH A LASER DIODE

Group Art Unit: 2828

Examiner: Menefee, J.A.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Our check in the amount of - 0 - is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
NAOTO JIKUTANI, ET AL. : EXAMINER: MENEFEE, JAMES A.
SERIAL NO: 10/697,035 :
FILED: OCTOBER 31, 2003 : GROUP ART UNIT: 2828
FOR: SURFACE-EMISSION LASER :
DIODE OPERABLE IN THE
WAVELENGTH OF ...

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
Alexandria, Virginia 22313

SIR:

In response to the communication dated December 13, 2005, and further in response to the Election/Restriction Requirement contained therein, Applicants herein elect, without traverse, the species noted in the requirement to be Species IV, subspecies (a) noted in the requirement to be "A surface emitting laser array," and Applicants list Claims 63-78 as readable thereon.

In view of the present election/restriction without traverse, it is respectfully submitted that an action on the merits as to elected Claims 63-78 should be forthcoming.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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